

REMARKS/ARGUMENTS

The Applicants have carefully considered this application in connection with the Final Rejection electronically delivered March 13, 2008 and the Advisory Action electronically delivered June 12, 2008 and respectfully requests reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicant originally submitted Claims 1-21 in the application. In previous responses, the Applicant amended independent Claims 1, 8, and 15. In the present response, the Applicant has amended independent Claims 1, 8, and 15. Support for the amendment can be found, *e.g.*, in paragraphs 18-19, 21-22, and 24-27 and Figures 1-2 of the published specification (U.S. Patent Application Publication No. 2002/0031115). Accordingly, Claims 1-21 are currently pending in the application.

I. Rejection of Claims 1-2, 7-9, 14-16, and 21 under 35 U.S.C. §102

Previously, the Examiner rejected Claims 1-2, 7-9, 14-16, and 21 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,226,375 to Shaffer, *et al.* (hereinafter "Shaffer"). The Applicant believes the invention presently claimed, however, is not shown in the cited portions of Shaffer. More specifically, the Applicant fails to find where the cited portions of Shaffer teach extracting a destination address for a subsequent telephone call, the subsequent telephone call initiated over a computer network from a second caller to a first caller as recited in now amended independent Claims 1, 8, and 15.

The Examiner, citing Figure 4, elements 112 and 116; column 4, lines 18-23; and column

5, lines 37-52 of Shaffer, interprets "updated its memories and redial the correct number as extract from a first telephone call a destination address for a subsequent telephone call" discloses the limitation of extracting from a first telephone call a destination address for a subsequent telephone call. (*See* Final Rejection of March 13, 2008, page 12.) Claims 1, 8, and 15, however, have been amended to more clearly point out that the subsequent call is from the second caller to the first caller. The subsequent call of Shaffer that the Examiner appears to be relying on, however, is the redialed call from calling station 10 (*e.g.*, the first caller) to receiving station 12 (*e.g.*, the second caller), not a call from the second caller (*e.g.*, receiving station 12) to the first caller (*e.g.*, calling station 10) as presently claimed. As such, Shaffer does not teach extracting a destination address for a subsequent telephone call, the subsequent telephone call initiated over a computer network from a second caller to a first caller.

Therefore, Shaffer does not anticipate presently amended independent Claims 1, 8, and 15 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §102(e) rejection of Claims 1-2, 7-9, 14-16, and 21 and allow issuance thereof.

II. Rejection of Claims 1-21 under 35 U.S.C. §103

Previously, the Examiner rejected Claims 1-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,760,324 to Scott, *et al.* (hereinafter "Scott"), in view Shaffer. The Applicant respectfully disagrees.

The Examiner recognizes that Scott does not teach extracting a destination address for a subsequent telephone call and cites Shaffer to cure this deficiency of Scott. (*See* Final Rejection of

March 13, 2008, pages 5-6.) However, as established above, Shaffer does not teach extracting a destination address for a subsequent telephone call as recited in presently amended independent Claims 1, 8, and 15. As such, based on the amendment, Shaffer does not cure the deficiency of Scott noted by the Examiner. Therefore, the cited combination of Scott and Shaffer does not provide a *prima facie* case of obviousness for presently amended independent Claims 1, 8, and 15 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of Claims 1-21 and allow issuance thereof.

III. Rejection of Claims 1-21 under 35 U.S.C. §103

Previously, the Examiner rejected Claims 1-21 under 35 U.S.C. §103(a) as being unpatentable over Scott in view of U.S. Patent No. 7,110,395 to Blair (hereinafter "Blair"). The Applicant respectfully disagrees.

The Examiner recognizes that Scott does not teach extracting a destination address for a subsequent telephone call and cites the Abstract and column 1, lines 7-10 of Blair to assert that Blair cures this deficiency of Scott. (*See* Final Rejection of March 13, 2008, pages 9-10.) Claims 1, 8, and 15, however, have been amended to more clearly point out extracting a destination address for a subsequent call from a first telephone call from a first caller to a second caller. The cited portions of Blair teach that a call from an origination phone to a destination phone is rejected and a call is placed to a network service provider and that, once connected to the network service provider, a network address is determined. (*See, e.g.*, Abstract, lines 7-10.) Thus, the identity of the origination phone, or a destination address, for a subsequent call from the destination phone over a data network is

discovered from a server or site of the network service provider that the destination phone is connected to. As such, Blair, as relied upon by the Examiner, does not teach extracting a destination address for a subsequent call from a first telephone call from a first caller to a second caller as required by amended Claims 1, 8, and 15 but, rather, from a connection to a network service provider.

Thus Blair does not cure the noted deficiencies of Scott. As such, the cited combination of Scott and Blair does not provide a *prima facie* case of obviousness for presently amended independent Claims 1, 8, and 15 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of Claims 1-21 and allow issuance thereof.

IV. Conclusion

In view of the foregoing remarks, Applicant respectfully submits that all of the Claims currently pending in this application are in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-21.

Applicant requests the Examiner to telephone the undersigned agent of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in black ink that reads "Steven J. Hanke". The signature is written in a cursive, flowing style.

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